



Legislation Details (With Text)

**File #:** 24-0169      **Version:** 1      **Name:** Close-out Change Order#1-Spiniello Phase-3(B)Sewer Cleaning and Rehabilitation-Contract 17-WS2017

**Type:** Resolution      **Status:** Adopted

**File created:** 2/6/2024      **In control:** Water Sewer Utility

**On agenda:** 2/21/2024      **Final action:** 2/21/2024

**Title:** Dept/ Agency: Water and Sewer Utilities  
 Action:  Ratifying    Authorizing    Amending  
 Type of Service: Final Quantities Change Order #1/Amend Resolution 7R12-a (AS) adopted on October 19, 2022  
 Purpose: To execute Contract Close-out Change Order #1 Phase-3(B) Sewer Cleaning and Rehabilitation- Contract 17-WS2017.  
 Entity Name: Spiniello Companies  
 Entity Address: 354 Eisenhower Parkway, Livingston, New Jersey 07039  
 Contract Amount: Not to exceed \$6,062,533.88  
 Funding Source: Capital Budget/Department of Water and Sewer Utilities  
 Contract Period: 365 calendar days from the date of the written Notice to Proceed to final completion  
 Contract Basis:  Bid    State Vendor    Prof. Ser.    EUS  
 Fair & Open    No Reportable Contributions    RFP    RFQ  
 Private Sale    Grant    Sub-recipient    n/a  
 Additional Information:  
 Resolution 7R12-a(AS) adopted on October 19, 2022 awarded a contract in an amount not to exceed \$4,823,300.00 for a period of (320) calendar days to final completion from the date of the written Notice to Proceed.  
  
 Contract Close-out Change Order #1 will increase the contract amount by \$1,239,233.88 for a new total contract amount not to exceed \$6,062,533.88 and increase the contract period by (45) calendar days for a new completion period of (365) calendar days from the date of the written Notice to Proceed to final completion.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
2/21/2024	1	Municipal Council		

**Dept/ Agency:** Water and Sewer Utilities  
**Action:**  Ratifying    Authorizing    Amending  
**Type of Service:** Final Quantities Change Order #1/Amend Resolution 7R12-a (AS) adopted on October 19, 2022  
**Purpose:** To execute Contract Close-out Change Order #1 Phase-3(B) Sewer Cleaning and Rehabilitation- Contract 17-WS2017.  
**Entity Name:** Spiniello Companies  
**Entity Address:** 354 Eisenhower Parkway, Livingston, New Jersey 07039  
**Contract Amount:** Not to exceed \$6,062,533.88  
**Funding Source:** Capital Budget/Department of Water and Sewer Utilities  
**Contract Period:** 365 calendar days from the date of the written Notice to Proceed to final completion

**Contract Basis:** (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
(X) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Additional Information:**

Resolution 7R12-a(AS) adopted on October 19, 2022 awarded a contract in an amount not to exceed \$4,823,300.00 for a period of (320) calendar days to final completion from the date of the written Notice to Proceed.

Contract Close-out Change Order #1 will increase the contract amount by \$1,239,233.88 for a new total contract amount not to exceed \$6,062,533.88 and increase the contract period by (45) calendar days for a new completion period of (365) calendar days from the date of the written Notice to Proceed to final completion.

**WHEREAS**, Resolution 7R12-a (as) adopted on October 19, 2022, authorized the award of Contract 17-WS2017, Phase-3 (B) Sewer Cleaning and Rehabilitation to Spiniello Companies, 354 Eisenhower Parkway, Livingston, New Jersey 07039, in the amount of \$4,823,300.00 for a period of (320) calendar days to final completion from the date of the written Notice to Proceed, in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Contract 17-WS2017, was completed with an increase of \$1,239,233.88 due to final quantity adjustments and an additional (45) additional calendar days to final completion from the date of the issuance of a written Notice to Proceed; and

**WHEREAS**, the Department of Water and Sewer Utilities wishes to enter into and execute a Contract Close-out Change Order #1 to Contract 17-WS2017, Phase-3 (B) Sewer Cleaning and Rehabilitation, with Spiniello Companies, 354 Eisenhower Parkway, Livingston, New Jersey 07039, with an increase in the contract amount by \$1,239,233.88 for a total contract amount of \$6,062,533.88, and extending the contract completion time by (45) calendar days to final completion from the date of the issuance of a written Notice to Proceed.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, is authorized to enter into and execute Contract Close-out Change Order #1 to Contract 17-WS2017, Phase-3 (B) Sewer Cleaning and Rehabilitation with Spiniello Companies, 354 Eisenhower Parkway, Livingston, New Jersey 07039, Increasing the contract amount by \$1,239,233.88 bringing the final contract amount to \$6,062,533.88, and extending the contract completion time by (45) calendar days for a new completion period of (365) calendar days to final completion from the date of the issuance of a written Notice to Proceed.
2. Funds for this contract previously certified and encumbered in support of Resolution 7R12-a (as) adopted on October 19, 2022 remain available from the Water Capital Account NW044-11G-11SA0-94710-B2011, until completion of the project and contract.
3. This Change Order is ratified from the date of the Contract Modification Proposal and Acceptance (Close-out Change Order #1) to the date of this authorizing Resolution.
4. A fully executed copy of the Close-out Change Order #1 shall be filed in the Office of the City

Clerk by the Director of the Department of Water and Sewer Utilities.

5. A fully executed copy of the Close-out Change Order #1 shall be filed with the New Jersey Department of Environmental Protection (NJDEP) by the Director of the Department of Water and Sewer Utilities.
7. If required by State Law, the Acting City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller, no later than twenty (20) business days following such award, in accordance with N.J.S.A. 52:15C-10 and the Notice of the Office of the State Comptroller dated May 7, 2008.

### **STATEMENT**

This Resolution ratifies, amends and authorizes the Mayor of the City of Newark and/or his designee, the Director of the Department of Water and Sewer Utilities, to enter into and execute Contract Close-out Change Order #1 to Contract 17-WS2017, Phase-3 (B) Sewer Cleaning and Rehabilitation with Spiniello Companies, 354 Eisenhower Parkway, Livingston, New Jersey 07039, increasing the contract amount by \$1,239,233.88 for a total contract amount of \$6,062,533.88, and extending the contract completion time by (45) calendar days for a new completion period of (365) calendar days from the date of the written Notice to Proceed to the final completion.